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BRAGALONE CONROY PC

November 30, 2020

**VIA EMAIL**

Robert N. Kang  
Warren Lex LLP  
2261 Market Street, No. 606  
San Francisco, CA  
kang@warrenlex.com

Re: *Cellular Communications Equipment LLC v. HMD Global Oy*, Case No. 20-78  
(E.D. Texas)

Dear Robert:

This letter is in response to your November 13 letter discussing CCE's document production. Below are responses to each category of documents discussed in that letter. Consistent with the discussion below, CCE will make a production this week.

- Any infringement contentions concerning the Asserted Patent.
  - CCE will produce all non-confidential infringement contentions from previous matters that it identified after a reasonable search. However, CCE will not be producing infringement contentions that contain confidential information of prior defendants.
- Any alleged prior art or invalidity contentions concerning the Asserted Patent.
  - CCE does not believe this category of documents is relevant to any claim or defense since HMD has not answered and thus not raised a defense of invalidity. In the event that HMD does raise a defense of invalidity, CCE will produce any non-confidential, responsive documents within a reasonable time after HMD raises such defense.
- Any depositions concerning the Asserted Patent including depositions of any named inventor of the Asserted Patent.
  - CCE will produce all documents related to this category that it identified after a reasonable search. However, CCE will not be producing documents related to this category that include confidential information of prior defendants.
- Documents produced by CCE in any prior or ongoing litigation relating to the Asserted Patent.
  - Documents in CCE's possession, custody, or control related to this category were produced with Bates numbers CCE\_HMD\_000001-001500 and CCE\_HMD\_001683-001693.
- Discovery responses and expert reports provided by CCE, or expert reports relating to invalidity provided to CCE, in any prior or ongoing litigation relating to the Asserted Patent.

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- CCE does not believe this category of documents, as it relates to validity, is relevant to any claim or defense since HMD has not answered and thus not raised a defense of invalidity. In the event that HMD does raise a defense of invalidity, CCE will produce any non-confidential, responsive documents within a reasonable time after HMD raises such defense. Further, CCE will not produce expert reports or discovery responses that contain confidential information or prior defendants. CCE otherwise did not locate documents related to this category after a reasonable search.
- Documents related to all manufacture, use, sales, offers to sell, and importation of any device that practices any invention of the Asserted Patent, and any practicing of any of the claims of the Asserted Patent that are method claims, including the dates of all such activities.
  - After a reasonable search, CCE did not identify documents related to category.
- Documents relating to non-infringing alternatives to any claim of the Asserted Patent.
  - CCE will not be producing documents that contain confidential information of prior defendants. After a reasonable search, CCE identified no non-confidential documents related to this category.
- Design documents, proof-of-concept documentation, prototypes, schematics, CAD files, or the like.
  - After a reasonable search, CCE did not identify any documents related to this category.
- Documents relating to any implementation of any software related to the subject matter of the patent-in-suit that were in the possession of the inventors on or around the alleged time of the invention.
  - After a reasonable search, CCE did not identify any documents related to this category.
- Documents relating to any predecessor assignee valuation of the Asserted Patent including but not limited to any valuation by Nokia Corporation.
  - CCE previously produced documents related to this category, bearing Bates numbers CCE\_HMD\_001501-001670.
- Documents relating to any interest retained by any third party including, for example, any interest held by Acacia Research Group LLC.
  - No such documents exist.
- Documents relating to the June 4, 2020 assignment of a security interest in the Asserted Patent to Starboard Value Intermediate Fund LP “as collateral agent for certain buyers,” including the incorporated “Pledge and Security Agreement” of the same date.
  - CCE will produce documents related to this category.

I trust that these responses have addressed your concerns regarding CCE’s document production. However, should you have further reason to continue this discussion, CCE is willing to meet and confer.

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Regards,

A handwritten signature in black ink, appearing to read 'Hunter S. Palmer'.

Hunter S. Palmer